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Approved for use through 10/31/2002 OMB 0851-0032  
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# UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. PB 00 0013

First Inventor James W. Borchering

Title Method &amp; Apparatus for a Data First Optical Network

Express Mail Label No. EK 211 373 984 US

(Only for new nonprovisional applications under 37 CFR 1.53(b))

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee prepayment)*
2. ☐ Applicant claims small entity status.  
 See 37 CFR 1.27.
3. ☒ Specification [Total Pages 30]  
*(preferred arrangement set forth below)*
- Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
5. Oath or Declaration [Total Pages 2]
- a. ☒ Unexecuted  
*Newly executed (original or copy)*
- b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
*(for continuation/divisional with Box 18 completed)*
- c. ☐ DELETION OF INVENTOR(S)  
 Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.78

ADDRESS TO: Assistant Commissioner for Patents  
 Box Patent Application  
 Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
  - ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Attorney (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. \_\_\_\_\_  
 Prior application Information Examiner \_\_\_\_\_ Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label ☒ Correspondence address below

Name Kenneth J. Rudofski, Tellabs Operations, Inc.  
 4951 Indiana Avenue, MS 16

Address \_\_\_\_\_

City Lisle State Illinois Zip Code 60532

Country USA Telephone 630-512-7027 Fax 630-512-7293

Name (Print/Type) Kenneth J. Rudofski Registration No. (Attorney/Agent) 35,997

Signature *K. J. Rudofski* Date February 16, 2001

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

1053 U.S. PTO  
 02/16/01

10/5/01  
 09785370  
 PLO

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ ) 746.00

## Complete if Known

Application Number  
Filing Date  
First Named Inventor James W. Borchering  
Examiner Name  
Group Art Unit  
Attorney Docket No. PB 00 0013

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 500 - 654  
Deposit Account Name Tellabs Operations, Inc.

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.19 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27.

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

#### Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description        | Fee Paid |
|---------------|---------------|------------------------|----------|
| 101 710       | 201 355       | Utility filing fee     | 710.00   |
| 106 320       | 206 160       | Design filing fee      |          |
| 107 490       | 207 245       | Plant filing fee       |          |
| 108 710       | 208 355       | Reissue filing fee     |          |
| 114 150       | 214 75        | Provisional filing fee |          |

SUBTOTAL (1) (\$ ) 710.00

### 2. EXTRA CLAIM FEES

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 22                 | 20" = 2      | 16             | 36.00    |
| 3                  | 3" = 0       |                |          |
| Multiple Dependent |              |                |          |

#### Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description  | Fee Paid |
|---------------|---------------|--|----------|
| 103 19        | 203 9         | Claims in excess of 20                                     |          |
| 102 80        | 202 40        | Independent claims in excess of 3                          |          |
| 104 270       | 204 135       | Multiple dependent claim, if not paid                      |          |
| 109 80        | 209 40        | ** Reissue independent claims over original patent         |          |
| 110 18        | 210 9         | ** Reissue claims in excess of 20 and over original patent |          |

SUBTOTAL (2) (\$ ) 36.00

\*for number previously paid, if greater. For Reissues see above

## FEE CALCULATION (continued)

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 130                    | 205 65                     | Surcharge - late filing fee or oath  |          |
| 127 50                     | 227 25                     | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139 130                    | 139 130                    | Non-English specification  |          |
| 147 2,520                  | 147 2,520                  | For filing a request for ex parte reexamination                            |          |
| 112 920*                   | 112 920*                   | Requesting publication of SIR prior to Examiner action                     |          |
| 113 1,840*                 | 113 1,840*                 | Requesting publication of SIR after Examiner action                        |          |
| 115 110                    | 215 55                     | Extension for reply within first month                                     |          |
| 116 390                    | 216 195                    | Extension for reply within second month                                    |          |
| 117 890                    | 217 445                    | Extension for reply within third month                                     |          |
| 118 1,390                  | 218 695                    | Extension for reply within fourth month                                    |          |
| 128 1,890                  | 228 945                    | Extension for reply within fifth month                                     |          |
| 119 310                    | 219 155                    | Notice of Appeal   |          |
| 120 310                    | 220 155                    | Filing a brief in support of an appeal                                     |          |
| 121 270                    | 221 135                    | Request for oral hearing   |          |
| 138 1,510                  | 138 1,510                  | Petition to institute a public use proceeding                              |          |
| 140 110                    | 240 55                     | Petition to revive - unavoidable   |          |
| 141 1,240                  | 241 620                    | Petition to revive - unintentional   |          |
| 142 1,240                  | 242 620                    | Utility issue fee (or reissue)   |          |
| 143 440                    | 243 220                    | Design issue fee   |          |
| 144 600                    | 244 300                    | Plant issue fee  |          |
| 122 130                    | 122 130                    | Petitions to the Commissioner  |          |
| 123 50                     | 123 50                     | Processing fee under 37 CFR 1.17(a)  |          |
| 126 180                    | 126 180                    | Submission of Information Disclosure Sheet                                 |          |
| 581 40                     | 581 40                     | Recording each patent assignment per property (times number of properties) |          |
| 145 710                    | 245 355                    | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149 710                    | 249 355                    | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179 710                    | 279 355                    | Request for Continued Examination (RCE)                                    |          |
| 169 900                    | 169 900                    | Request for expedited examination of a design application                  |          |

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ )

## SUBMITTED BY

Name (Print Type) Kenneth J. Rudofski  
Signature *Kenneth J. Rudofski*

Registration No. (Attorney/Agent) 35,997

## Complete if applicable

Telephone 630-512-7027

Date February 16, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



February 16, 2001

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Tellabs Docket No.:

PB 00 0013

**BOX PATENT APPLICATION**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Presented for filing is an original patent application of:

Applicant: James W. Borchering

Title: METHOD AND APPARATUS FOR A DATA FIRST  
OPTICAL NETWORK

Enclosed are the following papers, including those required to receive a filing date  
under 37 CFR § 1.53(b):

- a. Utility Patent Application Transmittal including Specification  
(including 2 drawing sheets);
- b. Fee Transmittal for FY 2001 in duplicate;
- c. Declaration for Utility or Design Patent Application (37 CFR 1.63) (unexecuted);
- d. Postcard; and
- e. Certificate of Mailing by "Express Mail"

If this application is found to be incomplete, or if a telephone conference would otherwise be  
helpful, please call the undersigned at 630.512.7027. Kindly acknowledge receipt of this  
application by returning the enclosed postcard.

Please send all correspondence to:

Kenneth J. Rudofski  
Tellabs Operations, Inc.  
4951 Indiana Avenue, MS 16  
Lisle, IL 60532

Respectfully submitted,

Kenneth J. Rudofski

Enclosures

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of: )  
James W. Borchering )  
Serial No.: To Be Assigned )  
Filed: )  
For: METHOD AND APPARATUS FOR )  
A DATA FIRST OPTICAL NETWORK )

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D. C. 20231

**CERTIFICATE OF MAILING BY “EXPRESS MAIL”**

Dear Sir:

“Express Mail” Mailing Label Number: EK 211 373 984 US

Date of Deposit: February 16, 2001

Application of: James W. Borchering

Tellabs Docket No. PB 00 0013

Title of Application: METHOD AND APPARATUS FOR  
A DATA FIRST OPTICAL NETWORK

X        Utility Patent Application Transmittal  
            ( 30 pages plus 2 drawing sheets)

  X        Fee Transmittal (in duplicate)

  X        Declaration for Utility or Design Patent Application (37 CFR 1.63)  
            (unexecuted)

  X        Certificate of Mailing by "Express Mail"

  X        Postage Paid Return Postcard

I hereby certify that the above-identified and attached papers are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below, and are addressed to The Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: \_\_\_\_\_

By: Charles M. Kennedy  
Charles Kennedy